

Receipt

**TRANSMITTAL LETTER
(General - Patent Pending)**

Docket No.
01-015

In Ré Application Of: JAY S. WALKER et al.

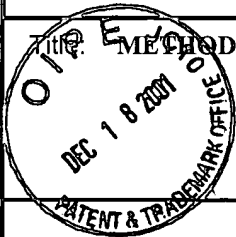
Serial No.
09/858,458

Filing Date
May 16, 2001

Examiner
Not Yet Assigned

Group Art Unit
2161

Title: METHOD AND APPARATUS FOR SELLING AN AGING FOOD PRODUCT



TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Transmitted herewith is:

Request for Corrected Filing Receipt, 2 pg., (x2);
Red-lined copy of Official Filing Receipt, 2 pp.;
Copy of Utility Patent Application Transmittal, 4 pp.; and
Return Receipt Postcard.

RECEIVED
MAR 05 2002
Technology Center 2100

in the above identified application.

- ☒ No additional fee is required.
- ☐ A check in the amount of _____ is attached.
- ☒ The Assistant Commissioner is hereby authorized to charge and credit Deposit Account No. 50-0271 as described below. A duplicate copy of this sheet is enclosed.
- ☐ Charge the amount of _____
- ☒ Credit any overpayment.
- ☒ Charge any additional fee required.

Signature

Dated: December 11, 2001

Dean P. Alderucci
Attorney for Applicants
PTO Registration No. 40,484
203.461.7337/phone
203.461.7300/fax

Customer No. 22927

I certify that this document and fee is being deposited
December 11, 2001 with the U.S. Postal Service as
first class mail under 37 C.F.R. 1.8 and is addressed to the
Assistant Commissioner for Patents, Washington, D.C.
20231.

Signature of Person Mailing Correspondence

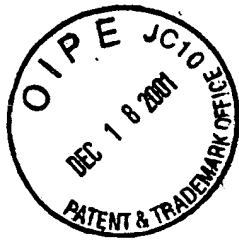
Veronika S. Leliever

Typed or Printed Name of Person Mailing Correspondence

Alderucci@walkerdigital.com

CC:

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re Application of: Walker et al.

) Customer No.: 22927

For: METHOD AND APPARATUS FOR
SELLING AN AGING FOOD PRODUCT

) Examiner: Not Yet Assigned

Serial No.: 09/858,458

) Group Art Unit: 2161

Filing Date: May 16, 2001

) Docket No.: 01-015

Assistant Commissioner for Patents
Office of Initial Patent Examination
Customer Service Center
Washington, D.C. 20231RECEIVED
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REQUEST FOR CORRECTED FILING RECEIPT

Sir:

Applicants respectfully request that the filing receipt for the above-identified patent application be corrected to reflect the following:

1. Include fifth inventor's name and address as:

GEOFFREY M. GELMAN, STAMFORD, CT

The requested correction has been indicated in red on the enclosed copy of the official Filing Receipt.

In support of this request, applicants have enclosed a copy of the Utility Patent Application Transmittal filed with the original patent application on May 16, 2001, which clearly indicates the correct names of all the inventors. Please issue a corrected Filing Receipt in due course.

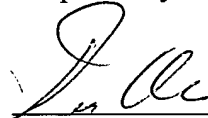
Applicants believe no fee is due. Please charge any fees that may be required for this Request, or credit any overpayment to Deposit Account No. 50-0271. Order number

01-015. The Assistant Commissioner is further authorized to charge any additional fees which may be required for the submission of this paper, or credit any overpayment to Deposit Account No. 50-0271.

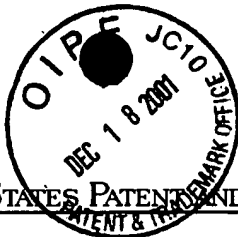
Furthermore, should an extension of time be required, please grant any extension of time which may be required to make this submission timely, and charge any fee for such an extension to Deposit Account No. 50-0271. A duplicate copy of this authorization is enclosed for such purposes.

December 11, 2001
Date

Respectfully submitted,



Dean P. Alderucci
Attorney for Applicants
PTO Reg. No. 40,484
Walker Digital Corporation
Five High Ridge Park
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(203) 461-7337 (phone)
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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/858,458	05/16/2001	2161	2000	01-015	17	25	18

CONFIRMATION NO. 4161

FILING RECEIPT



OC000000006356611

COPY

Dean Alderucci
Walker Digital Corporation
Five High Ridge Park
Stamford, CT 06905-1326

Date Mailed: 07/30/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).**

Applicant(s)

Jay S. Walker, Ridgefield, CT;
Andrew S. Van Luchene, Norwalk, CT;
Jonathan Otto, New York, NY;
Daniel E. Tedesco, New Canaan, CT;
GEOFFREY M. GELMAN, STAMFORD, CT

Domestic Priority data as claimed by applicant

THIS APPLICATION IS A CIP OF 09/083,483 05/22/1998
WHICH IS A CIP OF 08/920,116 08/26/1997 PAT 6,119,099
WHICH IS A CIP OF 08/822,709 03/21/1997 PAT 6,267,670

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Foreign Applications

If Required, Foreign Filing License Granted 07/27/2001

Projected Publication Date: 11/08/2001

Non-Publication Request: No

Early Publication Request: No

Title

Method and apparatus for selling an aging food product

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AUG 1 2001
WALKER DIGITAL

Preliminary Class

705

Data entry by : GEREMEW, FIKIRTE

Team : OIPE

Date: 07/30/2001

[REDACTED]

COPY**UTILITY PATENT APPLICATION TRANSMITTAL
(Large Entity)**

Docket No.

01-015

Total Pages in this Submission

57

(Only for new nonprovisional applications under 37 CFR 1.53(b))

TO THE ASSISTANT COMMISSIONER FOR PATENTS

Box Patent Application

Washington, D.C. 20231

Transmitted herewith for filing under 35 U.S.C. 111(a) and 37 C.F.R. 1.53(b) is a new utility patent application for an invention entitled:

METHOD AND APPARATUS FOR SELLING AN AGING FOOD PRODUCT

and invented by:

Jay S. WALKER, Andrew S. VAN LUCHENE, Jonathan OTTO, Daniel E. TEDESCO, Geoffrey M. GELMAN

If a **CONTINUATION APPLICATION**, check appropriate box and supply the requisite information:
☐ Continuation ☐ Divisional ☒ Continuation-in-part (CIP) of prior application No.: 5/22/98
09/083,483

Which is a:

☐ Continuation ☐ Divisional ☒ Continuation-in-part (CIP) of prior application No.: 8/26/97
08/920,116

Which is a:

☐ Continuation ☐ Divisional ☒ Continuation-in-part (CIP) of prior application No.: 3/21/97
08/822,709

Enclosed are:

Application Elements

1. ☐ Filing fee as calculated and transmitted as described below
2. ☒ Specification having 37 pages and including the following:
 - a. ☒ Descriptive Title of the Invention
 - b. ☐ Cross References to Related Applications (if applicable)
 - c. ☐ Statement Regarding Federally-sponsored Research/Development (if applicable)
 - d. ☐ Reference to Microfiche Appendix (if applicable)
 - e. ☒ Background of the Invention
 - f. ☒ Brief Summary of the Invention
 - g. ☒ Brief Description of the Drawings (if drawings filed)
 - h. ☒ Detailed Description
 - i. ☒ Claim(s) as Classified Below
 - j. ☒ Abstract of the Disclosure

UTILITY PATENT APPLICATION TRANSMITTAL
(Large Entity)

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No.
01-015

Total Pages in this Submission
57

Application Elements (Continued)

3. ☒ Drawing(s) *(when necessary as prescribed by 35 USC 113)*
- a. ☒ Formal Number of Sheets 17
- b. ☐ Informal Number of Sheets _____
4. ☒ Oath or Declaration
- a. ☐ Newly executed *(original or copy)* ☐ Unexecuted
- b. ☒ Copy from a prior application (37 CFR 1.63(d)) *(for continuation/divisional application only)*
- c. ☒ With Power of Attorney ☐ Without Power of Attorney
- d. ☐ DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s) named in the prior application,
see 37 C.F.R. 1.63(d)(2) and 1.33(b).
5. ☒ Incorporation By Reference *(usable if Box 4b is checked)*
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
6. ☐ Computer Program in Microfiche *(Appendix)*
7. ☐ Nucleotide and/or Amino Acid Sequence Submission *(if applicable, all must be included)*
- a. ☐ Paper Copy
- b. ☐ Computer Readable Copy *(identical to computer copy)*
- c. ☐ Statement Verifying Identical Paper and Computer Readable Copy

Accompanying Application Parts

8. ☐ Assignment Papers *(cover sheet & document(s))*
9. ☐ 37 CFR 3.73(B) Statement *(when there is an assignee)*
10. ☐ English Translation Document *(if applicable)*
11. ☒ Information Disclosure Statement/PTO-1449 ☒ Copies of IDS Citations
12. ☒ Preliminary Amendment
13. ☒ Acknowledgment postcard
14. ☒ Certificate of Mailing
- ☐ First Class ☒ Express Mail *(Specify Label No.):* EL750065895US

UTILITY PATENT APPLICATION TRANSMITTAL
(Large Entity)

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No.

01-015

Total Pages in this Submission

57

Accompanying Application Parts (Continued)

15. ☐ Certified Copy of Priority Document(s) *(if foreign priority is claimed)*

16. ☒ Additional Enclosures *(please identify below):*

ASSOCIATE POWER OF ATTORNEY OR AGENT

Request That Application Not Be Published Pursuant To 35 U.S.C. 122(b)(2)

17. ☐ Pursuant to 35 U.S.C. 122(b)(2), Applicant hereby requests that this patent application not be published pursuant to 35 U.S.C. 122(b)(1). Applicant hereby certifies that the invention disclosed in this application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication of applications 18 months after filing of the application.

Warning

An applicant who makes a request not to publish, but who subsequently files in a foreign country or under a multilateral international agreement specified in 35 U.S.C. 122(b)(2)(B)(i), must notify the Director of such filing not later than 45 days after the date of the filing of such foreign or international application. A failure of the applicant to provide such notice within the prescribed period shall result in the application being regarded as abandoned, unless it is shown to the satisfaction of the Director that the delay in submitting the notice was unintentional.

UTILITY PATENT APPLICATION TRANSMITTAL
(Large Entity)

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No.
01-015

Total Pages in this Submission
57

Fee Calculation and Transmittal

CLAIMS AS FILED

For	#Filed	#Allowed	#Extra	Rate	Fee
Total Claims	25	- 20 =	5	x \$18.00	\$90.00
Indep. Claims	18	- 3 =	15	x \$80.00	\$1,200.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
BASIC FEE					\$710.00
OTHER FEE (specify purpose) _____					\$0.00
TOTAL FILING FEE					\$2,000.00

- ☐ A check in the amount of _____ to cover the filing fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge and credit Deposit Account No. 50-0271 as described below. A duplicate copy of this sheet is enclosed.
- ☒ Charge the amount of \$2,000.00 as filing fee.
 - ☒ Credit any overpayment.
 - ☒ Charge any additional filing fees required under 37 C.F.R. 1.16 and 1.17.
 - ☐ Charge the issue fee set in 37 C.F.R. 1.18 at the mailing of the Notice of Allowance, pursuant to 37 C.F.R. 1.311(b).


Signature

Dated: May 16, 2001



22927

PATENT TRADEMARK OFFICE

CC: mfincham@walkerdigital.com

Magdalena M. Fincham
Agent for Applicants
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UNITED STATES PATENT AND TRADEMARK OFFICE

FILE COPY

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, DC 20231
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APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
09/858,458	05/16/2001	Jay S. Walker	01-015

CONFIRMATION NO. 4161



OC000000007542302

Dean Alderucci
Walker Digital Corporation
Five High Ridge Park
Stamford, CT 06905-1326

#4

Date Mailed: 02/27/2002

RESPONSE TO REQUEST FOR CORRECTED FILING RECEIPT

Claims, Fees, and Inventors

In response to your request for a corrected Filing Receipt, the Office is unable to comply with the request because:

- ☐ The total number of claims appearing on the Filing Receipt does not include multiple dependent claims. The total fee appearing on the Filing Receipt includes the cost of multiple dependent claims that were present at the time the application was filed.
- ☐ The filing fee is correct. It may include additional claims fees and/or the surcharge under 37 CFR 1.16(e) for filing an oath/declaration or basic filing fee after the application filing date; or it may not reflect fees refunded to the applicant that were paid by mistake.
- ☐ The number of claims reflected on the filing receipt is correct. Upon review of the claims, it was found that there was a miscalculation by the applicant. This may be due to improperly presented multiple dependent claims, typographical error, misnumbering of the claims, or other oversight. An amendment may be necessary to correct the problem.
- ☐ The filing fee reflected on the filing receipt is correct. Applicant may have miscalculated the fees due.
- ☐ Applicant calculated fees as other than small entity; however, applicant asserted small entity status in the application. Therefore, fees were applied as small entity and the remainder was refunded to the applicant.
- ☐ The difference between the fees paid and the fees due was refunded to the applicant and will not be shown on the filing receipt.
- ☐ The inventor information may be truncated if the family name consists of more than 50 characters (letters and spaces combined) and if the given name consists of more than 50 characters (letters and spaces combined).

☐ The inventor's residence allows for up to 40 characters (letters and spaces combined).

☐ The inventor's residence will only include the city and state for U.S. residences or city and country for residences outside the U.S. (See MPEP 605.02).

☒ A petition to correct the inventorship is needed to make this change. See 37 CFR 1.48. For non-provisional applications, the petition should be directed to the Director of the examining group assigned to your application.

☐ Changes made after submission of an executed declaration to the inventor information other than correction of typographical errors must be submitted in the form of a substitute declaration. Change of inventorship requires a petition under 37 CFR 1.48.

☐ The number of drawings shown on the filing receipt reflects the number of drawing sheets submitted and is not necessarily equal to the number of figures submitted.

☐ The correspondence address was captured as directed by applicant on filing. If you wish correspondence to be directed otherwise, please submit a request for a change of address.

☐ The docket number allows a maximum of 25 characters.

☐ The person signing on behalf of the deceased inventor is reflected on the Filing Receipt as the legal representative.

☐ The filing date of a parent application cannot be changed by this request. A petition to correct the filing date in the parent application is required.



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(703) 308-1202